

CHARGE TO GRAND JURY

DISTRICT JUDGE GARDNER DELIVERS STRONG CHARGE TO GRAND JURY RELATIVE TO THE RECENT RACE TROUBLE.

Yesterday afternoon District Judge B. H. Gardner delivered the following charge to the grand jury held over by him to investigate the disturbance at Slocum:

"Gentlemen: When you were impaneled, I called your respectful attention to the oath that you had taken and the special part I called your attention to was as follows: 'You shall present no personal envy, hatred or malice, neither shall you leave any person unpresented for love, favor, affection or hope of reward, but you shall present things truly as they come to your knowledge, according to your understanding, so help you God.' 'At the time of that oath, none of us dreamed or thought that anything would happen before you were discharged, equal to what has happened. Nobody anticipated any such trouble. 'And when you were about to be discharged last Saturday it was supposed that you were about through with your duties, but news coming of this great trouble in the southeastern part of the county has caused me to have you come back, and especially to investigate that affair, and it is a kind of a case that this oath especially applies to.

Provision For Excuse.
"All of you are white men and I presume all of you are southern men, and it is your duty now to investigate the killing and murder of a large number of negroes, say of at least eight, and possibly ten or twelve or more, who have been killed in the southeastern part of your county by men of your color. Now, if there is any man on that jury that feels he is not going to the occasion to live up to the oath—why, if it was an original sin, and the jury was just being organized and had not been sworn, I would suggest to him that he should ask to be excused, so that some other could be put on the jury; but all of you have been sworn in and it would be an embarrassing situation if any man should ask to be excused. The jury, but if there is any man on that jury who cannot live up to that oath he should ask the foreman to excuse him from the jury while it is investigating this case.

How to the Line.
"I take it, gentlemen, that all of you appreciate the situation and recognize the fact that this state and county have been greatly humiliated and disgraced by the affair that has just taken place in this county, and if ever a grand jury was called on to help to the line and let the chips fall where they may, this is the time, and I want to tell you that you cannot afford to do anything else than make a thorough investigation and indict every man that is shown to have been guilty of participating in that affair in any manner I may call to your attention.

Various Statutes.
"Now I am going to read you several statutes to show how people may be connected with that affair. I will not read the law of murder, because you are already familiar with that." Judge Gardner read the statutes pertaining to the law on conspiracy, after which he said:
"So you see, gentlemen, a man does not have to be present to be guilty of conspiracy. He does not have to actually take part in the offense. In this connection you have read various

rumors that there had been conspiracies and threats on the part of the colored people, or negroes, to do violence, or commit murder, perhaps, and you should give that matter thorough investigation, and if there is any evidence that there is any person guilty of that offense, you should return bills.

Regulating Threats.
"So there is another offense—the threat to take life." Judge Gardner here read the statute pertaining to threats.

"I call attention to threats and conspiracies for two reasons: That if any threat had been previously made against any white person or against negroes, investigation should have been made and indictments returned, if any. I also want to say that even if there had been such threats or conspiracies on the part of any number of negroes to do violence to white persons, it would not justify anybody to take the law in their own hands. The law furnishes ample remedy, and it would be no excuse for shooting down anybody that had made a threat or entered into a conspiracy, but the men should have come up and had them arrested and prosecuted for threats or conspiracy. I do not know that there has been anything of that sort, but in such cases as this there are always such claims as that, but that is no justification for shooting men in the back, waylaying or shooting them in their houses. It cannot justify any violence committed by these parties.

"Now, I will read to you the law with regard to principals and accomplices."

After reading the law mentioned, Judge Gardner continued: "Now, gentlemen, I do not undertake to forestall your investigation as to facts. Of course you will have all the witnesses before you. You will have the district attorney to assist you, and after today I understand you will have the assistant attorney general, Hon. John A. Mobley, of Athens, at the instance of the governor, also to assist you in the investigation, and you will have the necessary bailiffs at your command to have the necessary witnesses to come before you that may throw any light on this matter. "In conclusion, I want to emphasize the fact that I regard this affair the most damaging that could happen in the county; that it is a disgrace, not only to the county, but to the state, and it is up to this jury to do its full duty in the premises. "Gentlemen, you may retire."

DIRT HAS BEEN BROKEN

For the Erection of the New Fire House Station, and We Will Soon Be Rid of the Old Shack.

Here's a piece of good news. Dirt was broken yesterday for the new fire station to be erected on the leased lot just north of the city hall, on Palmer street. The building will be an attractive one, with two store rooms on Palmer street, while the fire station will open on Crawford street, and will be thoroughly modern in all particulars. To equip the new station a bond issue of \$9000 has been asked for. With the completion of the new station will disappear the old shack on Spring street, and the people will have no sorrows at the passing of this landmark. It has been an eye-sore for years. We are building ahead, brethren.

From a Former Resident.
Dyersburg, Tenn., July 31, 1910. To the Dear Old Herald:

Thinking perhaps some of your many readers would like to read a few lines from one that was reared in your midst, but who for the last four years has been making his home in West Tennessee, in a little town called Dyersburg, the county seat of Dyer county, I write this letter. We have about seven thousand inhabitants and have all the conveniences of a small town, and as the farming people are about through work they don't have much to do but to sit around and argue politics and the new court house. Crops are fine, only they look backward to one who was raised in Southern Texas. The farmers have had a hard time here trying to get their wheat threshed and hay saved on account of so much rain. It was damaged a great deal before any of it could be saved. We are having some awful hot weather here, which goes very hard with the people, especially with one who is crippled. I got my foot mashed very bad the sixteenth of June, and have not walked a step since. I can hobble about a little on my crutches, but it causes me great pain to let my foot hang down. I have been a subscriber and reader of your paper for several years, and it is always a welcome visitor in my home. I will close for this time, with many good wishes to the dear old Herald.

R. L. Starks.
Herald Want Ads. bring results.

ALL QUIET AT SLOCUM

NORMAL CONDITIONS AGAIN PREVAIL IN THE SLOCUM COMMUNITY AND EXCITEMENT IS SUBSIDING—TROOPS LEAVE.

Reports from the Slocum and Denison Springs communities today indicate that conditions are again practically normal there. There has been no further trouble of any character there, and none is apprehended. The people are getting back to their work, and are waiting for the courts to settle the responsibility of the recent outbreaks. A number of men in town from that section still affirm that the negroes down there were organized, and say they will be able to prove that they had a right to be uneasy. However, this is a matter to be determined by the courts.

Troops Leave the City.

The company of militia brought here from Marshall and the company of cavalry brought from Austin have each returned to their quarters. The Marshall company left last night on the fast north bound train. They will pass through the city again this afternoon, going to Leon Springs for the state encampment. The cavalry troops left this morning about 11 o'clock by special train, going to San Marcos, and from there will go to the state encampment.

Saloons Reopened at Noon.

District Judge Gardner released his order against the saloons this morning, and they reopened at noon. In conversation with Mr. A. C. Opperman this morning he said to a Herald man that the saloonmen were ready to close and assist in preserving the peace, and that they had no complaint to make at the order closing them, or in the length of time they were required to stay closed, and added that if it became necessary to close again he would be one of the first men in town to comply and endorse the move.

Adjutant General Newton Leaves.

Adjutant General Newton, after spending two days here advising with the local authorities, left this morning at 10:40 for Austin. He seemed satisfied with conditions here, and does not apprehend any further trouble.

Two Additional Arrests.

There have been no further arrests reported since the two men were brought in yesterday. The men arrested and locked up yesterday are T. W. Bailey and Morgan Henry. This makes a total of eight white men in jail here, with the charge of murder pending against them. Grand jury bailiffs have been out since yesterday summoning witnesses before the grand jury and it is understood that some fifty or more witnesses have been summoned to appear before the jury at once.

Court of Inquiry.

Yesterday in Justice Dexter's court District Attorney Harris and County Attorney Johnson conducted a court of inquiry, hearing witnesses as to the cause of the Slocum trouble and trying to ascertain the cause and responsibility for the trouble. In the afternoon District Judge Gardner delivered his instructions to the grand jury, and that body will make a diligent inquiry.

At the Airdome.

The management says: The Jeunets, novelty acrobatic gymnasts, were the vaudeville offering at the Airdome Theatre last night. They are a muscular pair of acrobats and drew frequent applause by their work. They did some clever hand to hand balancing. Miss Marie Jeunet is a most graceful little lady, and the work of the couple on the slack wire was especially noteworthy. They will be the vaudeville attraction again this evening. "Fighting the Iroquois in Canada" will be the feature film in motion pictures. This is the true story of the heroine of Vercheres as told by the Historian Parkman. It is the story of Madeleine Vercheres, a heroic little French girl, who, during the incumbency of Count Frontenac as the governor of Canada, defended a block house from the assault of savage Indians, almost alone and unaided. The tale is told in the motion pictures exactly as it happened in 1690, without the slightest modification.

If your liver is sluggish and out of tune, and you feel dull, bilious, constipated, take a dose of Chamberlain's Stomach and Liver Tablets tonight before retiring and you will feel all right in the morning. Sold by Bratton Drug Co.

TIZ—FOR SORE FEET.
Tired, Aching, Swollen, Smelly, Sweaty Feet? Corns, Callouses, or Bunions? Use TIZ. It's Sure, Quick and Certain.



You Will Enjoy Using TIZ. The Most Pleasant Remedy You Ever Tried, and Moreover It Works.

At last here is instant relief and a lasting permanent remedy for sore feet. No more tired feet. No more aching feet. No more swollen, bad smelling, sweaty feet. No more corns. No more bunions. No more callouses, no matter what ails your feet or what under the sun you've tried without getting relief, just use TIZ.

TIZ is totally unlike anything else for the purpose you ever heard of. It's the only foot remedy ever made which acts on the principal of drawing out all the poisonous exudations which cause sore feet. Powders and other remedies merely clog up the pores. TIZ cleanses them out and keeps them clean. It works right off. You will feel better the very first time it's used. Use it a week and you can forget you ever had sore feet. There is nothing on earth that can compare with it. TIZ is for sale at all druggists, 25 cents per box, or direct if you wish from Walter Luther Dodge & Co., Chicago, Ill.

BOY ATTACKED BY DOGS

Little George McFarlane Was Attacked and Bitten By Three Dogs Yesterday Afternoon.

George McFarlane, the ten or eleven year old son of Mrs. Addie McFarlane, was the victim of an assault by dogs yesterday afternoon, and is today suffering from many wounds on various parts of his body. Young McFarlane, as near as we can learn the facts, went to the home of a neighbor to play with another boy of about his own age. The other boy disappeared around the house, leaving McFarlane alone for a moment, and while alone the dogs, three in number, started for him. The child fled from the yard and closed the gate after him, but the dogs kept coming and attacked him after he had reached the street. His clothing was badly torn by the small but vicious dogs, and he was bitten all over his body and limbs. After several efforts on the part of people attracted to the scene, the dogs were beaten off. The child was carried to his home and physicians called, and it required the best part of an hour and a half to bandage and dress the wounds. The little fellow was game, and assured the physicians that he would be all right pretty soon. Young McFarlane sells papers on the streets, and has a host of friends among his patrons, as he is an exceptionally bright little fellow, with a genial disposition and a fund of ready good humor.

Fine Canned Peaches.

The Herald has received sample cans of Elberta peaches, canned by Mr. T. A. Bascom. Mr. Bascom has a home canner's outfit, and with it has canned 1000 three-pound cans of this delicious fruit. In addition to canning this large amount, hundreds of bushels have been dried, and will sell for a good price. Those who want about saving their peach crop succeeded very well, despite the fact that the surplus was something enormous, and more than could be quickly disposed of.

Dysentery is a dangerous disease, but can be cured. Chamberlain's Colic, Cholera and Diarrhoea Remedy has been successfully used in nine epidemics of dysentery. It has never been known to fail. It is equally valuable for children and adults, and when reduced with water and sweetened, it is pleasant to take. Sold by Bratton Drug Co.

If you have anything to sell, try a Herald want ad.

A Real Remedy
FOR COLDS, GRIP, FEVERISHNES, AND ACHING.

Hicks' Capudine will do the work of nothing else will. It quickly banishes the aching and feverishness and restores normal conditions. Capudine also cures Headaches of all kinds, including sick or nervous headaches, and headaches caused by heat, cold, grip or stomach disorders. Capudine is liquid—easy and pleasant to take—acts immediately. 10c., 25c. and 50c. at drug stores.

Roosevelt Rough Riders May Hold Reunion In Cheyenne, Wyo.

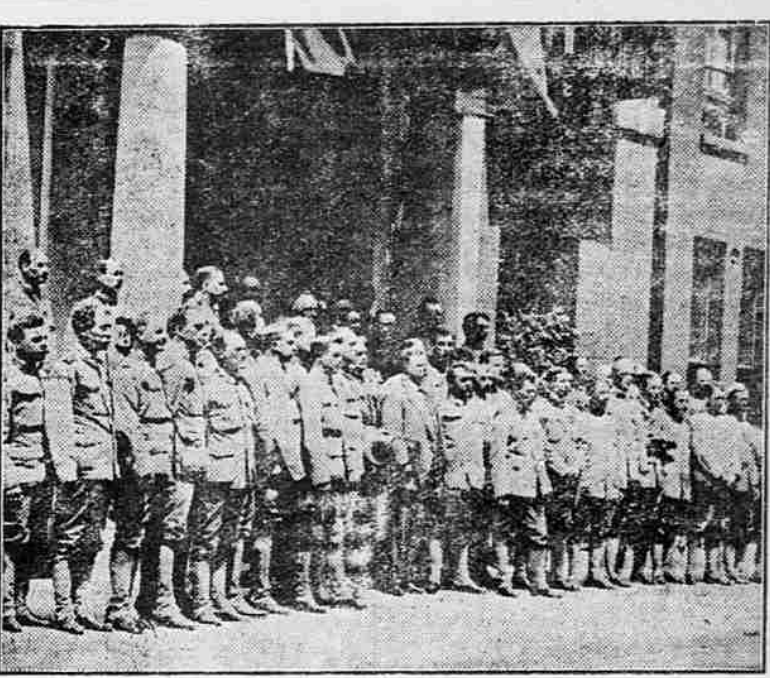


Photo by American Press Association.

Members of Colonel Roosevelt's famous band of rough riders, who participated in the famous battle of San Juan Hill during the Spanish-American conflict, have been prominent in the public eye since the arrival of Roosevelt from his memorable African hunt. The survivors of the rough riders came in from the west in a body to greet their former leader in New York. Then, at the call of their colonel, they attended the wedding of his son, Theodore junior. As a climax of their visit east they are urgently requesting the former president to join them in a reunion to swap tales of the doings during war-times at the coming rough rider show to be held in Cheyenne, Wyo.

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The largest or the smallest jobs are treated with equal consideration.
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